IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 401 OF 2005

Ponda Municipal Council
rep. by its Chief Officer,
Ponda Goa. ... Petitioner

versus

The Village Panchayat of
Curti-Khandepar rep. by
its Secretary and others. ... Respondents

Mr. Nitin Sardessai, Advocate for the Petitioner.

Mr. S. D. Lotlikar, Senior Advocate with Ms. K. Sambari,
Advocate for the Respondent Nos.1 and 2.

CORAM : N. A. BRITTO, J.

DATE : 24TH FEBRUARY,2006.

P.C.:-

Heard Mr. Nitin Sardessai, the learned Counsel on behalf of the petitioner and Mr. S. D. Lotlikar, the learned Senior Counsel on behalf of the respondent nos.1 and 2.

Notice of this petition was issued to the respondents on 13-10-2005 subject to the petitioner depositing a sum of Rs.5000/- which sum of Rs.5000/- has already been deposited. Without going through the merits of the controversy, the

impugned Order dated 12-9-2005 is hereby set aside and R.C.S. No.29/2005/A is restored to file. The sum of Rs.5000/- to be paid to respondent no.1.

Parties to appear before the learned Civil Judge on 16-3-2006 at 10.30 a.m.

N. A. BRITTO, J.

RD